

**Testimony of Jaysin Saxton, Fired Starbucks Worker Leader
Health, Education, Labor and Pensions Committee
U.S. Senate**

**No Company is Above the Law:
The Need to End Illegal Union Busting at Starbucks**

March 29, 2023

My name is Jaysin Saxton. I'm a disabled veteran of the U.S. Coast Guard, a proud father to a beautiful two-year old girl, Ava, and a former Starbucks Shift Supervisor.

I grew up in a small, predominantly Black area in Georgia. I always say I grew up in Atlanta because it's easier, most people don't know Decatur. At a pretty young age, I realized I liked learning, going to church on the weekends with my grandmother, and being of service.

When I was seven-years-old, my grandmother was diagnosed with breast cancer and passed away. She was my best friend. I stepped up to take care of my mom. Things weren't going too well with my dad, and we were preparing to move to a mostly white neighborhood an hour away. I didn't grieve much, because I wanted to make sure I was available to show up for my family.

After graduating high school, I began working random jobs to contribute to the household. I worked with staffing agencies and packaging companies, and it was fine, but I wanted to do more than just pay my bills. My dad suggested that my brother and I join the military. So we did.

I joined the Coast Guard, because I wanted to be close to home and go on rescue missions. Become a leader in my own right. I did not realize that I would be one of two people of color there. I experienced racism in the form of daily microaggressions. After three years and a diagnosis of osteoarthritis impacting my back and foot at the time, I was honorably discharged from the Coast Guard.

In the Coast Guard I did technical drawing and after being honorably discharged, I decided to take advantage of the G.I. Bill and applied to Savannah College of Art and Design. I took a year

off from working at Walmart and part-time at a pizza place to focus on school. I graduated in 2018, and college opened up so much for me.

In 2019, my roommate encouraged me to apply for a job at Starbucks and I did.

Previously, I said “former Starbucks worker” because I was wrongfully fired after helping lead a successful union organizing drive at my store in Augusta, Georgia. I never imagined I would lead a union organizing campaign. Ultimately, I along with almost a quarter of the coworkers at my store were wrongfully fired. The majority of the workers who were fired at my store were people of color and/or people in the LGBTQ+ community.

A Starbucks partner at my store was fired just last week. Together, we are a dozen of the 211 workers Starbucks has wrongfully fired since we started organizing with Starbucks Workers United more than a year ago. This hasn’t stopped our fight.

In 2019, I was hired to work as the closing Shift Supervisor¹ from midday to 10pm.

Things certainly weren’t perfect, but I could see why I had heard it was a progressive company—a good company to work for. And as a special bonus, I met my wife, who was a Barista, on the job. So I will forever be grateful for that.

But then COVID hit and everything changed. Starbucks closed most of the stores in my district, but my store remained open. During all of this, my wife was having a difficult pregnancy and I was terrified I would bring COVID home to her. We were working with people who were sick. We were always short staffed. We asked for breaks and were told no. I was only being paid \$12 an hour at the time.

Starbucks put in place some policies that they said were to protect us Partners—that’s what they call us—but then they just took them away a few months later while the pandemic was still raging.

¹ “Shift Supervisor” is a non-managerial position.

In October 2020, my wife gave birth to Ava. I took family leave and added all my vacation and sick time in. When I came back to work, COVID was starting to die down a bit, but Starbucks was making our lives harder with new changes.

During the pandemic, there were significant increases in drive-thru business and mobile ordering business in addition to regular cafe service. Partners were working a lot harder and experiencing more stress, but there was no increase in pay or resources to meet these new goals and expectations. At the same time, I kept getting passed over for promotions by people with less experience.

I later learned that the Hiring Manager had an issue with me wearing sweatpants to work, however my osteoarthritis requires that I wear loosely fitted pants or I would suffer sharp pains during my shift.

So in late 2021, when I started to hear about Starbucks workers in Buffalo organizing a union, I thought, 'we need this, too.' I reached out to Starbucks Workers United to see how we could get started organizing in our store and began talking to my coworkers.

We were in constant fear that we might get sick and that we would make our families sick. During the pandemic we had so many orders coming in over the app, management would turn off the mobile orders so we could take a lunch break, but after a certain point they required that it be on at all times. Often when people asked for a break they were told "no."

Conversations in my store at that time were the same as the conversations we heard from workers across the country at that time—low pay, lack of benefits like good parental leave and affordable healthcare, and inadequate training.

I wanted to be there for the customers who relied on us during this uncertain time, and Partners' families were also going through some really tough times too. The child tax and stimulus helped my family for a bit, but we were still below the poverty line.

We were ALL dealing with the same concerns and we were all tired of it. We kept organizing, despite increasing retaliation and surveillance. The company sent higher up Managers to our store, and it felt like it was just to surveil us. The Regional Director, who drove down from

Atlanta, was in our store regularly with the District Manager. They would rarely speak to us and just sit in a corner of the cafe and write notes about us.

The notes would become discipline for minor things that happened in the store like being written up for being two minutes late, which we had never experienced before we started organizing our union.

Terminations increased, too. A partner who experienced sexual harassment from one of our Managers was terminated after reporting it.

They held captive audience meetings, they called them “one-on-ones” for us to “have all of the facts” but the Partners were outnumbered every time. They would say, “This is a union card, you do not have to sign it.” Management would tell us that we would lose our benefits and hours if we unionized. They posted anti-union materials that distinguished and felt like a threat about what unionized stores would not get and non-unionized stores would get.

In February 2022, we heard about the Memphis 7, a high profile case of retaliation and termination against a group of mostly workers of color. These workers boldly organized to demand better pay, health coverage, and stronger safety procedures. Their firing had a chilling effect on me and my co-workers, as we saw the company betraying the very values and mission that these Memphis workers were upholding. Despite our fears, we were inspired by the courage and power of the Memphis 7 and filed for our election a month later, in March 2022.

A week after we filed they replaced our Store Manager with an interim one, but it backfired as more people got on board with the union. In April, our store won our union election by a landslide, 26-5, despite all of the threats and intimidation.

Starbucks retaliation and union-busting ramped up even more after we won our election. Store hours were constantly changing and hours kept getting cut. People were fired right on the shop floor for what seemed like nothing at all.

They fired seven of our union members, two of them were Shift Supervisors. Two Partners requested medical and maternity leave, management refused to sign off on their leave and they

were terminated. Several people quit, including my wife. Some of us were told that we should “look for another job.”

We were constantly being watched. Each person working the floor at Starbucks wears a headset to communicate with each other about food and drink orders, to take drive-thru orders, and discuss conditions in the store as needed. Once we started organizing, Managers would use these headsets to listen in on our conversations, never saying anything, just listening. We only had enough headsets per store for the employees on the floor—so when a Manager took a headset, that meant that one of us had to go without. There was at least one person active in the union drive fired after management claimed they heard over the headset that one of my coworkers cursed on the floor—even though she didn’t.

My headset was denied to me while I was working a few times between March 2022 and August 2022, when I was wrongfully fired. As far as I have heard, my coworkers are still having their headsets taken away for what we believe is surveillance at my store.

It created a real culture of fear. A lot of my coworkers were scared. More often than not, I’d be the most vocal—which put me at higher risk for retaliation.

In July, I led a two-day unfair labor practice strike and delivered our demands. A month later, I was fired for supposedly being “disruptive.” I did not receive any write up or discipline—there was no investigation. I was fired after organizing like so many union leaders across the country.

I have filed an unfair labor practice charge with the National Labor Relations Board seeking to be reinstated at Starbucks, but the company subpoenaed my text messages with union organizers, and now the case challenging my termination has been postponed because we believe Starbucks’ subpoena is unlawful. I believe the request for my text messages has nothing to do with my termination but instead is Starbucks trying to pry into private discussions about the organizing campaign and an attempt to scare workers like me from standing up against their union busting and bullying tactics.

Starbucks and big corporations have a lot of power and money and they are willing to pull out all the stops to deny workers a voice and a seat at the table in a union. That’s why I am thrilled to

be here today—to have witnessed firsthand Howard Schultz being held to account for his company’s illegal behavior.

All we want is respect, to have a little more dignity, and to have more of a say in what we have to do on a day to day basis. I’m proud to be a leader of this new labor movement—when we’re taking on corporate power and fighting for ALL of us.

One day, my daughter is going to be able to look up her dad on the internet and find out that I fought for a better future for every Starbucks worker and for all working people— and I know she’ll also read that we took on one of the most powerful corporations and won. That’s why I keep fighting. That makes everything worth it.